

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**NEXTGEAR CAPITAL, INC.,**

**Plaintiff,**

**v.**

**BANK OF SPRINGFIELD,**

**Defendant.**

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**Case No. 4:18-CV-01086-NCC**

**ORDER**

This matter is before the Court on Plaintiff's Motion to Schedule Rule 16 Conference (Doc. 27), to which Defendant has responded (Doc. 28). In the Motion, Plaintiff seeks to expedite the Rule 16 conference. Defendant opposes the Motion in light of Defendant's pending Motion to Dismiss Second Amended Complaint (Doc. 21), which has been taken under advisement.

After careful consideration of the parties' respective positions, and in light of the pending Motion to Dismiss,

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Schedule Rule 16 Conference (Doc. 27) is **DENIED**.

Dated this 1st day of April, 2019.

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/s/ Noelle C. Collins  
NOELLE C. COLLINS  
UNITED STATES MAGISTRATE JUDGE